

UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT

MANDATE

At a Specially Called Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 11th day of February, two thousand and thirteen,

Before: Raymond J. Lohier, Jr.,
Circuit Judge.

MD Mahmudur Rahim, Tasnina Rahim,

Petitioners,

ORDER
Docket No. 11-4505

v.

Eric H. Holder, Jr., United States Attorney General,

Respondent.

Petitioner has moved under FRAP 42(b), with the consent of Respondent, to dismiss this appeal and remand to the Board of Immigration Appeals.

IT IS HEREBY ORDERED, that the motion is granted and the case is remanded to the Board of Immigration Appeals. To ensure an opportunity for prompt restoration of this case to this Court's jurisdiction as the Petitioner may wish, the remand is pursuant to the principles and procedures set out in United States v. Jacobson, 15 F.3d 19 (2d Cir. 1994).

Either party may reinstate the case in this Court at any time by filing a letter to that effect with the Clerk of Court. No new petition for review or additional filing fee will be required for restoration of the Court's jurisdiction.

If the Government decides to resume efforts to remove Petitioner, the Government must notify the Court and Petitioner at least 21 days prior to removal. Upon receipt of the notice the Clerk of Court will reinstate the case.

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit







MANDATE ISSUED ON 02/11/2013